

REMARKS

Claims 1-8 remain pending in this application for which applicants seek reconsideration.

Amendment

Claims 1, 4, 5, and 8 have been amended to more clearly define the musical content package and their transformation aspects. See at least page 14, line 20 to page 15, line 24, and page 17, line 23 to page 19, line 2, and page 22, lines 9-22, for support. No new matter has been introduced.

Art Rejection

Claims 1-8 were rejected under 35 U.S.C. § 103(a) as unpatentable over Chiang (USPGP 2004/0103370) in view of Probst (USPGP 2003/0140034). Applicants submit that the pending claims define over these references within the meaning of § 103 because none of these references would have disclosed or taught the feature of transforming input content definition data as presently set forth in independent claims 1 and 5.

In the last reply, applicants explained that neither Chiang nor Probst would have taught transforming input content definition data to add an item not defined therein or to change an item defined therein. In response, the examiner alleges that “it is inconceivable that one could not add and/or edit these documents” as the XML in Chiang is essentially a displaying and formatting protocol for documents. In this respect, the examiner alleges that paragraph 11 discloses the claimed transformation portion for transforming the input content definition data to add an item that is not defined in the content definition data, or to change an item that is defined in the content definition data and supplying the transformed content definition data to the utilization portion. Paragraph 11 of Chiang, however, merely discloses translating IMS message byte stream to an XML document, which is rendered according to a predetermined styling sheet:

[0011] In still another aspect of the preferred embodiment of the present invention, a method for displaying an XML document includes translating an IMS message byte stream to an XML document. The XML document is rendered according to a predefined styling sheet.

Paragraph 11 indeed states nothing about adding an item that is not defined or changing an item that is defined in the content definition data. In this respect, the examiner has failed to meet the burden of proving a prima facie case of obviousness. That is, the combination would not have disclosed or taught the claimed transforming aspect set forth in independent claims 1 and 5.

Independent claims 1 and 5 further have been amended to even more clearly define over the applied references. Specifically, these claims now define that the musical content package is comprised of content definition data (CDD) and plural different kinds of content material data (CMD). The different kinds of CMD include content material data for displaying an image in the display unit, while the CDD defines the handling of the CMD utilized in the utilization portion/instruction. The CDD includes content material designation data (CMDD) for designating any one or more of the different kinds of CMD included in the musical content package. Moreover, these claims call for transforming the CMDD to add an item not defined therein, or to change an item defined therein. The transformed CMDD relates to the CMD for displaying an image among the plural different kinds of CMD. See page 18, line 9, to page 9, line 2, and page, lines 20-25 for specific examples provided in the specification.

Independent claims 1 and 12 do not merely call for adding or editing codes for rendering purposes, but rather specifies transforming the content material designation data (CMDD) that designates one or more of the different kinds of content material data (CMD) contained in the musical content package. Applicants submit that Chiang and Probst would not have disclosed or taught at least this aspect of independent claims 1 and 12.

Conclusion

Applicants submit that claims 1-8 patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicants urge the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

ROSSI, KIMMS & McDOWELL LLP

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DATE

/Lyle Kimms 123007/

LYLE KIMMS

REG. NO. 34,079 (RULE 34, WHERE APPLICABLE)

P.O. Box 826

ASHBURN, VA 20146-0826

703-726-6020 (PHONE)

703-726-6024 (FAX)